

REMARKS

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103 or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 1-18 are in the application. Claims 1-6 and 17-18 have been withdrawn.

A restriction requirement was required. In response, applicants have elected to prosecute the claims of group II (i.e., claims 7-16) in the present application. However, applicants reserve the right to file one or more divisional applications directed to one or all of the non-elected claims.

Claims 7 and 12 were rejected under 35 U.S.C. 102(e) as being anticipated by Williams (U.S. Patent No. 5,970,386).

Independent claim 7 recites in part the following:

“wherein the information for the first transmission path includes a first delivery system descriptor and the network information includes a second delivery system descriptor, and

wherein **said first delivery system descriptor has a length equal to said second delivery system descriptor.**” (Emphasis ours)

It is respectfully submitted that Williams as applied by the Examiner does not specifically disclose the above-identified feature of claim 7. Accordingly, it is believed that claim 7 is distinguishable from Williams. For similar or somewhat similar reasons, it is also believed that independent claim 12 is distinguishable from Williams. Additionally, although the portions of the ETR reference relied on by the Examiner (see below) mention delivery system descriptors, such portions of the ETR reference do not appear to disclose that the first delivery system descriptor has a length equal to the second delivery system descriptor.

Claims 8-11 and 13-16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Williams (U.S. Patent No. 5,970,386) in view of “ETR 211: Digital Video Broadcasting: Guidelines on Implementation and Usage of Service Information.”

Claims 8 and 13 have been canceled. Claims 9-11 and 14-16 are dependent from one of independent claims 7 and 12 and, as such, include all of the features contained therein.

Accordingly, claims 9-11 and 14-16 are distinguishable from Williams for at least the reasons previously described. The portions of ETR relied upon by the Examiner (hereinafter “ETR”) do not appear to overcome the above-described deficiencies of Williams. Therefore, claims 9-11 and 14-16 are believed to be distinguishable from the applied combination of Williams and ETR.

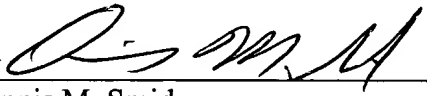
In the event, that the Examiner disagrees with any of the foregoing comments concerning the disclosures in the cited prior art, it is requested that the Examiner indicate where, in the reference or references, there is the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable over the prior art, and early and favorable consideration thereof is solicited.

Please charge any fees incurred by reason of this response and not paid herewith to
Deposit Account No. 50-0320.

Respectfully submitted,

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